

Township of Tabernacle

**Town Hall
163 Carranza Road
Tabernacle, NJ 08088**



Meeting Agenda

September 12, 2016 - 7:30 PM

Governing Body

Kimberly A. Brown, Township Committee
Joseph W. Barton, Township Committee
Richard J. Franzen, Township Committee
Joseph Yates, IV, Deputy Mayor
Stephen V. Lee, IV, Mayor

TOWN HALL ADMINISTRATIVE TEAM

Douglas Cramer, CPWM, Administrator	Terry W. Henry, Chief Finance Officer
Dante Guzzi, Township Engineer	Col. William C. Lowe, Emergency Management
Kimberly Smith, Tax Collector	Thomas Boyd, Construction Official
Peter C. Lange, Jr., Esq. Solicitor	La Shawn R. Barber, Municipal Clerk
Douglas Stuart, Environmental Consultant	

www.townshipoftabernacle-nj.gov

DRAFT AGENDAS ARE SUBJECT TO CHANGE

Tabernacle Township Committee
September 12, 2016

Town Hall Meeting

1. Mayor Stephen V. Lee, IV calls Tabernacle Township Committee Meeting to order with the Salute to the Flag and the reading of the Open Public Meetings Act Statement.
2. **ROLL CALL**
___Mr. Barton, ___Ms. Brown, ___Mr. Franzen, ___Mr. Yates and ___Mayor Lee
3. **Public comment on agenda items.**
4. **MAYORAL PROCLAMATION**
 - a) Recognizing the Retirement of Elwood Parks
 - b) Constitution Week (Sept. 17-23, 2016)
5. **APPROVAL OF BILLS**
6. **NEW BUSINESS**

Discussion: Proposed ordinance granting renewed consent and permission to SJ Gas Company to use the public streets to furnished gas for light, heat and power in Tabernacle Township.
7. **OLD BUSINESS**

Discussion: Potential contract approval for Tabernacle Township and Tabernacle Rescue Squad, Inc.

Discussion: Facility Use / License Agreement by and between Tabernacle Township and Tabernacle Athletic Association (TAA).

First Reading: Proposed Ordinance of wild animals and regulation of the maintenance of agricultural animals on non-agricultural properties, entitled "standards for keeping chicken."
8. **RESOLUTIONS**

Resolution 2016-101: Authorizing cancellation of certain property taxes and reimbursement pursuant to a one hundred percent totally disabled veteran exemption.

Resolution 2016-102: Adopting Personnel Policies and Procedures.
9. **MOTIONS**
 - a) **Parade Permit:** Pinelands Preservation Alliance (PPA) – Tour de Pines 2016 Bicycle Ride.
Event Date: October 2, 2016.
 - b) **Parade Permit:** Meteor Motorcycle Club – Ride in the Pines Dual Sport Motorcycle Ride
Event Date: October 22-23, 2016.

10. **REPORTS**

- ☐ Township Engineer
- ☐ Township Administrator
- ☐ Township Solicitor
- ☐ Township Committee

11. **PUBLIC COMMENT**

(Please state your name & address for the record)

12. **ADJOURNMENT**

DRAFT

TOWNSHIP OF TABERNACLE
ORDINANCE NO. _____
AN ORDINANCE ESTABLISHING SECTION 5-5.3.1
UNDER ARTICLE 5, CHAPTER 5
**PROHIBITION OF WILD ANIMALS AND REGULATION OF THE
MAINTENANCE OF AGRICULTURAL ANIMALS ON NON-
AGRICULTURAL PROPERTIES.**

entitled
“STANDARDS FOR KEEPING CHICKENS”

WHEREAS, Tabernacle Township has a long-standing agricultural history and rural character; and

WHEREAS, the Tabernacle Township Committee has determined that the keeping of chickens promotes healthy food choices, including fresh eggs and the creation of local sustainable food systems; and

WHEREAS, the Tabernacle Township Committee has determined that the keeping of chickens, when properly managed and cared for provides an excellent source of fertilizer for gardening; and

WHEREAS, the Tabernacle Township Committee has determined that the keeping of chickens provides for a family-friendly experience; and

WHEREAS, the Tabernacle Township Committee has determined, after consultation and review of the Recommended Guidelines for Home Animal Agriculture in Residential Areas published by Rutgers University Department of Animal Sciences, that the keeping of chickens requires the imposition of certain safeguards and standards to ensure that the activity is properly regulated to prevent against nuisance related activities and to ensure

proper health and safety; and

WHEREAS, it is the intent of the Tabernacle Township Committee, notwithstanding the provisions of this ordinance and in order to benefit from this ordinance, that Tabernacle Township residents will review their respective property deeds for any deed restrictions against such use, and the rules and regulations of their respective homeowner's association, to determine whether or not the "Keeping of Chickens" would be contractually prohibited on their real property.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tabernacle, County of Burlington, State of New Jersey, "Standards for Keeping Chickens" is hereby established and supplements the Tabernacle Township Code as follows:

SECTION 1. The above restrictions included at 5-5.3 notwithstanding, chickens, as defined herein, may be kept, harbored and maintained on non-agricultural property subject to all of the following conditions:

SECTION 2. Definitions.

The following words and terms when used in this section shall be deemed to have meanings herein stated.

- A. Chicken – A domesticated fowl of the subspecies *Gallus gallus domesticus*. Such definition shall include such chickens defined as layers, broilers, and fryers.
- B. Mature Chicken – A chicken, which has attained sexual maturity or an age of at least three (3) months.
- C. Coop – An enclosure, cage, or pen usually with bars or wire, in which chickens

are confined.

D. Droppings – the excrement of chickens.

E. Poultry – Shall include the chickens, ducks, turkeys, geese and game birds including but not limited to pheasants and quail, peafowl, and guinea fowl.

SECTION 3. Purpose.

A. No person shall raise, keep or harbor any live chickens without first obtaining a permit for that purpose from the Tabernacle Township Zoning Officer covering the premises intended to be so used.

B. The provisions of this ordinance shall not be deemed to authorize the keeping of live chickens or their by-products for sale or preparation of sale.

C. The provisions of this ordinance are intended to regulate the keeping of live chickens only. The keeping of any other type of poultry when inconsistent with other sections of the Tabernacle Township Code is prohibited.

SECTION 4. General Regulations.

A. Minimum Residential Lot Size. A minimum lot size of one-half acre is required to keep chickens pursuant to this Section. Keeping of chickens shall only be permitted in zoning districts for residential or agricultural use.

B. Number of Allowable Chickens. No more than nine (9) female chickens may be kept on any residential lot.

C. Roosters, Cockerel. Roosters and Cockerels are prohibited.

D. Slaughtering. Slaughtering chickens in public view is prohibited.

- E. No Running At Large. No person owning, keeping, maintaining harboring a chicken shall permit, suffer, or allow a chicken to run at large upon any public streets or upon any private property. Such action is deemed to be a nuisance and dangerous to public health and safety.
- F. No Disturbing Of Peace. No person owning, keeping, maintaining or harboring a chicken shall permit, suffer or allow a chicken to disturb the peace or quiet of the neighborhood by creating a noise across a residential property line continually for ten (10) minutes or intermittently for thirty (30) minutes, unless provoked.
- G. Each animal subject to this ordinance shall be free from sickness or disease. Should the Board of Health have reasonable cause to question the health of any animal, it shall have the authority to require, after notice to the owner, an examination by a doctor of veterinary medicine; which examination shall be at the expense of the owner. Chickens found to be infested with insects, parasites or pathological viruses or bacteria that may result in unhealthy conditions to human habitation may be removed by an animal control officer.

SECTION 5. Structures and Enclosures.

- A. All chickens shall be provided a fully enclosed shelter with a fenced enclosure outside of and completely apart from any building used wholly or in part for dwelling purposes. Shelters and enclosures shall be located in the rear yard.
- B. Structures shall have covered tops and provide for protection from predators.
- C. Shelters and enclosures shall comply with any and all zoning restrictions applicable to accessory buildings and shall be located at least thirty (30) feet from any residential structure on an adjoining property.

- D. Shelters shall not exceed sixty (60) square feet in size or eight (8) feet in height.
- E. Fences shall not exceed six (6) feet in height.
- F. The floors of all coops, runs and the surrounding areas of all such places shall be kept clean and dry at all times and shall be subject to periodic inspection by the Health Officer or their representative.
- G. Coops and runs shall be disinfected or otherwise treated at the owner's expense when so directed by the Health Officer.
- H. Shelters and enclosures shall not be used after construction for storage or any other purpose or use other than for the keeping of chickens.

SECTION 6. Manure Storage, Use, and Removal.

- A. Manure Storage. Manure storage areas shall be located at least 100 linear feet from waters of the state. Land application of animal waste shall be performed in accordance with the principles of the NJDA Best Management Practices (BMP) Manual.
- B. Manure applied to soil. Poultry manure can be applied to the soil at a rate not to exceed two-hundred (200) pounds per one thousand (1000) square feet every three months. Manure should be incorporated into the soil and not used on the surface of the soil.
- C. Waste Removal. All droppings, feculent matter, and waste shall be removed weekly from each coop and shall be removed from the premises or other wise disposed of in a manner as shall prevent the inhalation of aerosolized fecal matter, odor and the attraction of insects and rodents.

If any provision of this ordinance is prohibited by law or judged by a court to be unlawful, void or unenforceable, that provision shall be severed from this ordinance and rendered ineffective without modifying the remaining provisions and shall not affect any other circumstances of or the validity or enforcement of this ordinance.

Introduction: September 12, 2016

Adoption:

NOTICE OF FINAL ADOPTION:

PLEASE TAKE NOTICE that an Ordinance entitled as above was finally adopted following a public hearing by the Township Committee of the Township of Tabernacle, County of Burlington and State of New Jersey at a meeting thereof held on_____, 2016 at the Municipal Building, 163 Carranza, Road, Tabernacle New Jersey 08088 at 7:30P.M.

La Shawn R. Barber, RMC
Municipal Clerk

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2016-101
AUTHORIZE CANCELLATION OF CERTAIN PROPERTY TAXES AND
REIMBURSEMENT PURSUANT TO A
ONE HUNDRED PERCENT TOTALLY DISABLED VETERAN EXEMPTION**

WHEREAS, Patricia M. Rehberger, owner and resident of 80 Summit Drive (Block 305, Lot 4.07) has applied for exemption from property taxes as a 100% percent Totally Disabled Veteran pursuant to NJSA 54:4-3.30; and

WHEREAS, said application has been received by the Township Assessor; and

WHEREAS, the Assessor has reviewed the application and requisite proofs, and finding them to be in order, recommends approval of the exemption; and

WHEREAS, the exemption commences July 1, 2016 in accord with certification of 100% disability granted by the Department of Veterans Affairs; and

NOW THEREFORE BE IT RESOLVED by Tabernacle Township Committee that the Tax Collector is hereby authorized to CANCEL THE 2016 PROPERTY TAXES PURSUANT TO TOTALLY DISABLED VETERAN STATUS TO PATRICIA M. REHBERGER, PROPERTY OWNER OF 80 SUMMIT DRIVE, TABERNACLE, NJ 08088.

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to reimburse \$1942.73 (calculation: 2016 Third Quarter Paid \$1,648.64 and Fourth Quarter 2016 paid \$294.09 = \$1,942.73) to Patricia M. Rehberger, owner and resident of 80 Summit Drive, Tabernacle (Block 305, Lot 4.07).

BE IT FURTHER RESOLVED, A certified copy of this resolution shall be forwarded to the Tax Collector and Assessor.

DATE: SEPTEMBER 12, 2016

STEPHEN V. LEE, IV, MAYOR

**LA SHAWN R. BARBER, RMC
MUNICIPAL CLERK**

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the _____ day of September 2016.

**LA SHAWN R. BARBER, RMC
MUNICIPAL CLERK**

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2016-102
ADOPTING PERSONNEL POLICIES AND PROCEDURES**

WHEREAS, it is the policy of Tabernacle Township to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Township Committee that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Tabernacle Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Tabernacle Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township of Tabernacle shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that Peter C. Lange, Jr. is hereby appointed as Employment Attorney to advise the Township of Tabernacle in personnel matters.

BE IT FURTHER RESOLVED that the Township Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Township Clerk and the Township Attorney shall assist the Township Administrator in the implementation of the policies and procedures in this manual.

ADOPTED: SEPTEMBER 12, 2016

STEPHEN V. LEE, IV, MAYOR

**LA SHAWN R. BARBER, RMC
MUNICIPAL CLERK**

**TOWNSHIP OF TABERNACLE
BURLINGTON COUNTY, NEW JERSEY**

**RESOLUTION 2016-102
ADOPTING PERSONNEL POLICIES AND PROCEDURES**

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Joseph W. Barton						
Kimberly A. Brown						
Richard J. Franzen						
Stephen V. Lee, IV						
Joseph Yates, IV						

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Tabernacle at a meeting held on the 12TH day of September 2016.

La Shawn R. Barber, RMC
Municipal Clerk